IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

FRIDAY, THE 15TH JUNE 2007 / 25TH JYAISHTA 1929

WA.No. 224 of 2007()

AGAINST THE ORDER IN WPC.32539/2006 Dated 23/01/2007
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APPELLANT/PETITIONER IN WP(C):

M/S. KANCOR INGREDIENTS LTD.,
KANCOR ROAD, ANGAMALLY SOUTH-683 573,
REPRESENTED BY ITS VICE PRESIDENT (CORPORATE FINANCE), SRI.V.MURALEEDHARAN.

BY ADV. SRI.JOSEPH KODIANTHARA
SRI.MITHUN MARKOS

RESPONDENTS/RESPONDENTS IN WP(C):
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1. THE GENERAL MANAGER,
DISTRICT INDUSTRIES CENTRE, M.G. ROAD,ERNAKULAM.

2. THE DIRECTOR OF INDUSTRIES & COMMERCE,
GOVERNMENT OF KERALA, SECRETARIAT, TRIVANDRUM.

3. THE TAHSILDAR, ALUVA.

4. STATE OF KERALA,
REPRESENTED BY THE CHIEF SECRETARY,
GOVERNMENT SECRETARIAT, TRIVANDRUM.

5. MOTHER'S AGRO FOODS PVT. LTD.,
INDUSTRIAL DEVELOPMENT AREA, ANGAMALLY SOUTH,
REPRESENTED BY ITS MANAGING DIRECTOR,
MR.VARKEY PETER.

6. KERALA STATE POLLUTION CONTROL BOARD,
PATTOM POST, TRIVANDRUM-695004, REPRESENTED BY ITS CHAIRMAN.

R1 TO R4 BY SR. GOVERNMENT PLEADER SHRI M.R. SABU.
R5 BY ADV. SHRI M.P. ASHOK KUMAR.
R6 BY SHRI M.K. CHANDRAMOHAN DAS.
BY ADV. SRI.N.N.SUGUNAPALAN (SR.)

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 15/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

H.L. DATTU, C.J. & K.T. SANKARAN, J.

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W.A. No. 224 OF 2007

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Dated this the 15th June, 2007

J U D G M E N T

H.L. Dattu, C.J.:

Questioning the correctness or otherwise of the interim order passed by this court in W.P.(C) 32539 of 2006 dated 23rd January, 2007, the petitioner in the Writ Petition has preferred this Writ Appeal.

2. This Court while entertaining the Writ Appeal has passed the following order:

" Learned Government Pleader takes notice for respondent Nos. 1 to 4. Mr. M.P. Ashok kumar takes notice for respondent No.5 . Mr. M.K. Chandramohan Das takes notice for respondent No.6.

Status quo be maintained for a period of one week. "

4. Status quo order, granted earlier, was extended by this court from time to time.

5. Today, when the matter is posted for further orders, all the counsel appearing for the parties to the lis, would submit that the interim order granted by this Court may be continued till the Writ Petition is finally disposed of by this court. They further seek leave of this court to request the learned single Judge to hear the Writ Petition out of turn and pass appropriate orders. In our opinion, the submission so made by the counsel is not only fair but also justifiable. Therefore, the request is

granted. It will be in the interest of all the parties to the list. Therefore the following:

O R D E R

i) Writ Appeal is disposed of.

ii) Interim order granted by this court in this Writ Appeal shall continue till the Writ Petition filed by the appellant is finally disposed of.

iii) Liberty is reserved to the appellant and also to the respondents to make appropriate application before the learned single Judge for hearing the Writ Petition out of turn. We only say, if such a request is made, the learned single Judge may consider the same in accordance with law.

iv) All other contentions of the parties are left open. I.A. 371 of 2007 is also disposed of.

Ordered accordingly.

H.L. DATTU,
CHIEF JUSTICE.

K.T. SANKARAN,
JUDGE.

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